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THE DISSOLUTION OF THE LEGISLATURE

Current Issue Paper 40



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THE STATUS OF MEMBERS UPON THE DISSOLUTION OF THE LEGISLATURE

Current Issue Paper 40

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September 1990

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TABLE OF CONTENTS

	<u>Page No.</u>
THE ISSUE	1
GENERAL EFFECTS OF DISSOLUTION	1
EXTENSION OF ENTITLEMENTS	2
Indemnities and Allowances	3
Remuneration	3
Accommodation Expenses in Toronto	3
Travel Expenses	4
Outtake Allowances	4
Support Services	5
Queen's Park Office Expenses	5
Constituency Office Expenses	5
Members' Support Staff	5
Caucus Allowances	6
Legislative Library	6
Constituency Mailings	6
THE LEGAL STATUS OF MEMBERS	7
FOOTNOTES	8



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THE ISSUE

On July 30, 1990, a proclamation was issued by the Lieutenant Governor dissolving the Ontario Legislature and naming September 6th as the date for a general election.¹ What were the consequences of this proclamation for the individual Members of the House? More specifically, when the election was called, how was the legal status of Members affected? Were they Members for some purposes, but not for others?

GENERAL EFFECTS OF DISSOLUTION

An answer to these questions breaks down into three parts:

1. *ALL MEMBERS.* Once the Legislature is dissolved Members can continue to represent their constituents until they are defeated, resign or retire. However, not all of the entitlements Members receive during the life of a Parliament continue after a dissolution. In Ontario, the Legislative Assembly Act² extends certain entitlements to Members after dissolution. The Office of the Assembly has issued several documents which explain these and other entitlements in detail.³ The relevant provisions of the Act and the Office guides are reviewed below.

2. *Premier, Cabinet Ministers and Parliamentary Assistants.*

Under the norms of responsible government, the Premier and his or her cabinet remain in office to carry on the functions of government after a dissolution. If the ensuing election produces a legislature which it appears will support the governing party on a vote of confidence, then the Premier and the cabinet continue in office without a break.⁴ Legally, the Premier and his or her ministers retain their portfolios even if they are defeated in their constituencies, since it is a matter of convention, not a statutory requirement, that a minister of the Crown be a Member of the Legislature.⁵ If the election results indicate that the governing party will lose a vote of confidence once the Legislature is convened, the Premier will advise the Lieutenant Governor of this likelihood and his or her government will resign. In these circumstances the Lieutenant Governor must find another party leader who can form a government which will command the confidence of the Legislature.

Ministers hold office "during pleasure," in accordance with section 2(1) of the Executive Council Act. That subsection provides, in part, that:

The Lieutenant Governor may appoint under the Great Seal from among the ministers of the Crown* . . . ministers to hold office during pleasure⁶ . . . [emphasis added]

In practice, "during pleasure" usually means until a resignation is submitted and a new appointment is made.

Parliamentary Assistants are appointed by the Lieutenant Governor in Council (in practice, the Premier and the cabinet) by means of an Order-in-Council pursuant to section 2(2) of the Executive Council Act. The length of a term of a Parliamentary Assistant is determined by the Premier and cabinet and will be specified in the Order-in-Council appointing a Member to the position. Therefore, a Member's term as a Parliamentary Assistant is not affected by the dissolution of the Legislative Assembly, but continues until the end of the period specified in the Order-in-Council.

3. **SPEAKER AND DEPUTY SPEAKER.** The Speaker and Deputy Speaker also continue in office following the dissolution of the Legislature. They do so under the authority of the Legislative Assembly Act, which states that:

The persons who hold the office of Speaker and Deputy Speaker at the time of any dissolution of the Legislature shall be deemed to be the Speaker and Deputy Speaker, respectively, until a Speaker and Deputy Speaker are elected by the Assembly.⁷

EXTENSION OF ENTITLEMENTS

As mentioned above, some of the entitlements of Members continue after dissolution. These entitlements are discussed under the following headings: indemnities and allowances; support services; and legal status of Members.

* The phrase "ministers of the Crown" first appears in section 1 of the Act, which declares that "the Executive Council shall be composed of such persons as the Lieutenant Governor from time to time appoints, and all executive councilors so appointed are ministers of the Crown, and rank among themselves in the order of their appointments."

Indemnities and Allowances

Remuneration

Section 60 of the Legislative Assembly Act prescribes an indemnity and expense allowance for every Member. The terms of this section apply to all Members regardless of whether they are seeking re-election. For the purpose of computing the actual amounts payable under this section, a Member is deemed to be a Member from the polling day on which elected until the day preceding polling day following dissolution of the Legislature, or until the Member's death or resignation, whichever occurs first.

Additional indemnities payable to the Speaker, the Deputy Speaker, the Leaders and House Leaders of the Official Opposition and Third Party, and the Caucus Chairs, are computed in the same manner. If the Members holding these positions are re-elected and continue in their positions, their additional indemnities continue uninterrupted.⁸

Members who serve as the Deputy Chair of the Committee of the Whole House, as a Chair or Vice-Chair of Standing or Select Committees, or as a Whip, also receive an additional indemnity. Such officeholders are deemed to occupy their positions until the writ is issued for an election. On the day the writ is issued these additional indemnities stop. If these Members are re-elected and are re-appointed to their positions, their additional indemnities are reinstated effective the date of their re-appointment.⁹

Accommodation Expenses in Toronto

The Premier, the Leaders of the Official Opposition and Third Party, and all Ministers are entitled to claim for the cost of accommodation in Toronto, if their principal residence is located outside the Municipality of Metropolitan Toronto. Entitlement to this allowance includes the period between the day a writ for a general election is issued and the commencement of the first session of the new Parliament.¹⁰

The Speaker is in a special category. He or she may not claim accommodation expenses in Toronto, as a suite in the Legislative Building is provided for the Speaker's use.¹¹

How is the eligibility of other Members defined? Every private Member whose principal residence is located outside the Municipality of Metropolitan Toronto is entitled to claim for the cost of accommodation in Toronto while attending as a Member of the Assembly at the seat of government at Toronto. This allowance is available from the polling day on which he or she is elected until the earliest of [1] the day on which the Member resigns as a Member of the Legislature, [2] the death of the Member, or [3] the day preceding the polling day that follows a dissolution of the House.¹²

Travel Expenses

Each Member is entitled to claim an allowance for travel expenses in accordance with subsections 66(1)-(6) of the Legislative Assembly Act. After a writ for a general election is issued, this allowance ceases; it becomes available again once a Member has been declared elected to the next Parliament.¹³ However, during the election period Members are permitted to claim expenses for one return trip between their constituency and Queen's Park.¹⁴

Defeated or retiring Members are permitted one return trip between their constituency and Queen's Park for the purpose of finalizing their Queen's Park operations.¹⁵

Outtake Allowances

Members are entitled to a severance allowance upon retirement, resignation or defeat. The allowance is one month's pay per year of service at the rate being received at the time of leaving office.¹⁶

Under the terms of the Legislative Assembly Retirement Allowances Act,¹⁷ a Member who has contributed to the Legislative Assembly Retirement Fund in respect of five or more years of service and has credit for a sufficient number of years service such that, when added to his or her age on the date of ceasing to be a Member, totals at least 55 years, is entitled to an annual allowance for life upon ceasing to be a Member.¹⁸

If a Member has contributed to the Fund in respect of at least five years of service but does not satisfy the 55 year rule, he or she may elect to take a deferred annual allowance.

A Member who ceases to be a Member before becoming eligible for a retirement allowance is entitled to a refund of all contributions with interest.

Members who have resigned or do not seek re-election are entitled to reimbursement for out-counselling services. The maximum amount that may be claimed is \$7,000.¹⁹

Support Services

Queen's Park Office Expenses

Members' Queen's Park offices remain open after the writ is issued. However, the Office of the Assembly will not fund the following: orders for stationery and office supplies; emergency purchase provisions; petty cash reimbursements; publication and framing allowances; and additions to furniture and office equipment. Office moves by Members are not allowed during the election period.²⁰

Constituency Office Expenses

The Office of the Assembly continues to fund the operation of Members' constituency offices from the day the writ is issued until polling day. However, once the writ is issued the Office will not fund the acquisition and delivery of new furniture and office equipment. The constituency office is to be used to continue to address constituents' interests during a campaign, not a Member's partisan political activities. During the election period the Office can refuse to reimburse Members for "expenses that appear to be out of context of the normal functioning and operating of a Constituency Office."²¹

Members' Support Staff

A global support staff allowance is provided to each Member. This allowance covers the cost of staff hired by Members to work in either their Queen's Park or constituency offices. Three categories of staff may be hired: Legislative/Constituency Assistant; Special Assistant; and Executive Assistant.

In the event of the Member's defeat, these Assistants must receive notice of termination of "up to 8 weeks with pay, or date of new employment, whichever is less."²² The notice period starts on the day after election day. Staff continue to work during the notice period, but are given reasonable time off without loss of pay to allow them to find alternative employment.²³

Caucus Allowances

Funds are allocated to each of the three party caucuses for the provision of research assistance and other support services. This kind of funding remains unchanged between the date of dissolution and election day. The Manual of Administration elaborates:

Caucus allowances are based on the number of Members of the Legislative Assembly belonging to each caucus. Consequently, if there is a change in distribution of Members in the Legislature as a result of an election, caucus allowances will be altered to reflect this change. Any resulting alteration in entitlement is effective as of election day.²⁴

Legislative Library

It is the policy of the Legislative Library to continue to serve Members after the dissolution of the House. A Member is considered to be a Member until he or she is unseated. This policy has been adopted pursuant to Standing Order 140 of the Legislative Assembly, which states:

The management of the Library, including the regulation of admission, hours of operation, maintenance of a catalogue of books, and security and preservation of the collection, is the responsibility of the Executive Director of the Legislative Library, subject to such special orders as the Executive Director may receive from time to time from the Speaker or the House

Constituency Mailings

Each Member is allowed three constituency mailings (i.e., newsletters) per fiscal year, paid for by the Office of the Assembly. No newsletters may be mailed once an election writ has been issued.

Material which is at the typesetting or printing stage at the time the writ is issued may not be mailed. However, the Office of the Assembly will absorb the production costs.²⁵

THE LEGAL STATUS OF MEMBERS

In Parliamentary Privilege in Canada, Joseph Maingot, formerly law clerk and parliamentary counsel to the House of Commons, writes that "the privileges, rights and immunities of the Member commence at the moment of the Member's official existence."²⁶ When does a Member officially exist? It appears that, in parliamentary practice, publication of notice of the return of Members in The Ontario Gazette commences the official existence of Members.²⁷

The Oath of Allegiance, then, has nothing to do with making a person a Member. Indeed, he or she must be a Member before being sworn in. The object of the Oath is to allow the Member to take a seat in the House.²⁸

There are some privileges which have a statutory basis and which depend on the dates a session begins and ends. These privileges are defined in sections 38 and 39 of the Legislative Assembly Act as follows:

38. Except for a contravention of this Act, a Member of the Assembly is not liable to arrest, detention or molestation for any cause or matter whatever of a civil nature during a session of the Legislature or during the twenty days preceding or the twenty days following a session.
39. During the periods mentioned in section 38, Members . . . of the Assembly . . . are exempt from serving or attending as jurors in any court of justice in Ontario.

Thus, it is possible that even before their names are published in The Ontario Gazette, Members may enjoy the privileges of freedom from arrest, detention, or molestation, or be exempt from serving as jurors. The key date is twenty days before the opening of the first session.

It should also be noted that the protection afforded Members under sections 38 and 39 extends for twenty days after dissolution.

FOOTNOTES

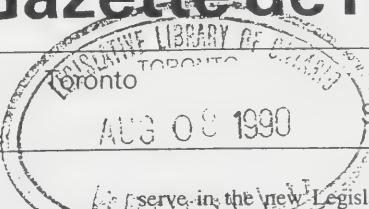
¹The proclamation appeared in The Ontario Gazette on 4 August 1990, as follows:



The Ontario Gazette La Gazette de l'Ontario

Vol. 123-31

Saturday, August 4th, 1990



ISSN 0030-2937

Samedi, le 4 août 1990

Proclamations

(Great Seal of Ontario)

LINCOLN M. ALEXANDER

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME,

IAN SCOTT
Attorney General of Ontario

GREETING:

PROCLAMATION

WHEREAS We have thought fit, by and with the advice of Our Executive Council of Our Province of Ontario, to dissolve the present Legislative Assembly and to call forthwith a new Legislative Assembly:

NOW KNOW YE that WE DO HEREBY DISOLVE the present Legislative Assembly of Our Province of Ontario, and DO HEREBY MAKE KNOWN Our Royal Will and Pleasure to call a new Legislative Assembly of Our said Province; and WE DO DECLARE that, by and with the advice of Our said Executive Council, WE have this day given orders for issuing Our Writs in due form for holding a general election of members to

serve in the new Legislative Assembly of Our said Province, the said Writs to bear date the thirtieth day of July, A.D., 1990, and to be returnable forthwith after the execution thereof; and WE DO FURTHER DECLARE that, as appointed by Our Lieutenant Governor in Council, the day for the nomination of candidates for the said general election shall be the twenty-third day of August, A.D., 1990, and the day on which polling shall take place where a poll is granted shall be the sixth day of September A.D., 1990.

OF ALL WHICH PREMISES all Our loving subjects and all others whom it doth or may in anywise concern are hereby required to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made patent and the Great Seal of Our Province of Ontario to be hereunto affixed.

WITNESS:

THE HONOURABLE LINCOLN M. ALEXANDER, A Member of Our Privy Council for Canada, One of Our Counsel Learned in the Law, Bachelor of Arts, Doctor of Laws, LIEUTENANT GOVERNOR OF OUR PROVINCE OF ONTARIO,

at Our City of Toronto in Our said Province this thirtieth day of July, in the year of Our Lord one thousand nine hundred and ninety and in the thirty-ninth year of Our Reign.

BY COMMAND

CHRIS WARD,
Minister of Government Services.

²Legislative Assembly Act, R.S.O. 1980, c. 235.

³See Ontario, Legislative Assembly, Office of the Assembly, Manual of Administration, 2 vols. (Toronto: The Office, February 1985); Office of the Assembly, Reference Manual of Procedures to Follow Both During and After a Provincial Election (Toronto: The Office, 1987); Office of the Assembly, Human Resources Branch, Guide to Members' Allowances and Services and Members' Support and Caucus Staff (Toronto: The Office, March 1990); and Office of the Assembly, Finance Branch, Handbook on Allowances and Expenses for Members During an Election Period (Toronto: The Office, July 1990).

⁴This passage is adopted from Peter W. Hogg, "Responsible Government," in The Canadian Political Tradition: Basic Readings, eds., R.S. Blair and J.T. McLeod, (Toronto: Methuen, 1987), pp. 28-29.

⁵Executive Council Act, R.S.O. 1980, c. 147, ss. 1 and 2(1).

⁶Executive Council Act, R.S.O. 1980, c. 147, s. 2(1).

⁷Legislative Assembly Act, R.S.O. 1980, c. 235, s. 33.

⁸Under s. 62(2) of the Legislative Assembly Act, when a Member ceases to hold the position of the Speaker, Leader of the Official Opposition or of the Third Party, the Member who succeeds to one of these positions is deemed to have occupied it as of the following day. Both the Act and the most recent guide issued by the Office of the Assembly, the Handbook on Allowances and Expenses for Members During an Election Period, are silent on the question of when Members succeeding to the positions of Deputy Speaker, House Leader of the Official Opposition or Third Party, or Caucus Chair, are deemed to occupy them for the purpose of receiving their additional indemnity, though it may be inferred they similarly are deemed to occupy their new positions on the day following the end of their predecessors' terms.

⁹Handbook on Allowances and Expenses for Members During an Election Period, p. 10.

¹⁰Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 16; Executive Council Act, R.S.O. 1980, c. 147, s. 4(1); and Legislative Assembly Act, R.S.O. 1980, c. 235, s. 63.

¹¹Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 16.

¹²Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 16; Legislative Assembly Act, R.S.O. 1980, c. 235, s. 66(7) and (8).

¹³Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 17; and Legislative Assembly Act, R.S.O. 1980, c. 235, s. 66(9).

¹⁴Handbook on Allowances and Expenses for Members During an Election Period, p. 3.

¹⁵Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 17.

¹⁶Ibid., p. 15; and Handbook on Allowances and Expenses for Members During an Election Period, pp. 10-11.

¹⁷Legislative Assembly Retirement Allowances Act, R.S.O. 1980, c. 236, as am. S.O. 1984, c. 17, and S.O. 1985, c. 20.

¹⁸Ibid., R.S.O. 1980, c. 236, ss. 6, 18; and Handbook on Allowances and Expenses for Members During an Election Period, p. 11.

¹⁹Handbook on Allowances and Expenses for Members During an Election Period, p. 12.

²⁰Ibid., pp. 5-6.

²¹Ibid., p. 5.

²²Guide to Members' Allowances and Services and Members' Support and Caucus Staff, p. 34.

²³Ibid.

²⁴Manual of Administration, 1:6-2-7.

²⁵Reference Manual of Procedures to Follow Both During and After a Provincial Election, p. 6; and Handbook on Allowances and Expenses for Members During an Election Period, pp. 6, 22.

²⁶Joseph Maingot, Parliamentary Privilege in Canada (Toronto: Butterworths, 1982), p. 20.

²⁷Ibid., p. 21.

The names of the successful candidates are published in The Ontario Gazette pursuant to s. 82 of the Election Act, 1984, S.O. 1984, c. 54. S. 82 holds that:

the Chief Election Officer, on receiving the return of a member elected to the Assembly, shall give notice of the receipt of the return in the next ordinary issue of The Ontario Gazette, the date of such receipt and the name of the candidate elected.

Following is the notice which appeared in the Gazette on 22 September following the election of 1990.



The Ontario Gazette La Gazette de l'Ontario

Vol. 123-38 Toronto

Saturday, September 22nd, 1990

ISSN 0030-2937
Samedi le 22 septembre 1990

Parliamentary Notice Avis parlementaire

RETURN OF MEMBERS

ÉLECTION DES DÉPUTÉS

NOTICE IS HEREBY GIVEN of the receipt of the return of members on or after the fourteenth day of September, 1990, to represent the following Electoral Districts in the Legislative Assembly of the Province of Ontario:

NOUS ACCUSONS RÉCEPTION PAR LA PRÉSENTE des résultats du scrutin, le quatorzième jour de septembre 1990 ou après, indiquant l'élection des députés représentant les circonscriptions électorales suivantes à l'Assemblée législative de la province de l'Ontario :

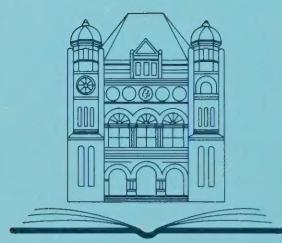
Electoral Districts/Circonscriptions électorales

1. Algoma	Bud Wildman
2. Algoma-Manitoulin	Mike Brown
3. Beaches-Woodbine	Frances Lankin
5. Brampton South/ Brampton-Sud	Bob Callahan
6. Brantford	Brad Ward
7. Brant-Haldimand	Robert Nixon
8. Bruce	Murray Elston
9. Burlington South/ Burlington-Sud	Cam Jackson
10. Cambridge	Mike Farnan
11. Carleton	Norman W. Sterling
12. Carleton East/ Carleton-Est	Gilles Morin
13. Chatham-Kent	Randy Hope
15. Cochrane South/ Cochrane-Sud	Gilles Bisson
16. Cornwall	John C. Cleary
17. Don Mills	Don Mills
18. Dovercourt	Tony Vlachos
19. Downsview	Anthony Perruzza
20. Dufferin-Peel	David Tilson
21. Durham Centre/ Durham-Centre	Drummond White
23. Durham West/ Durham-Ouest	Jim Wiseman
24. Durham-York	Larry O'Connor
25. Eglinton	Dianne Poole
26. Elgin	Peter North
27. Essex-Kent	Pat Hayes
29. Etobicoke-Humber	Jim Henderson
30. Etobicoke-Lakeshore	Ruth Grier
31. Etobicoke-Rexdale	Ed Philip
32. Etobicoke West/ Etobicoke-Ouest	Chris Stockwell
33. Fort William	Lyn McLeod
34. Fort York	Rosario Marchese
35. Frontenac-Addington	Fred Wilson
36. Grey	Bill Murdoch
37. Guelph	Derek Fletcher
38. Halton Centre/ Halton-Centre	Barbara Sullivan
39. Halton North/ Halton-Nord	Noel Duignan
40. Hamilton Centre/ Hamilton-Centre	David Christopherson
41. Hamilton East/ Hamilton-Est	Bob Mackenzie
42. Hamilton Mountain/ La Montagne	Hamilton
43. Hamilton West/ Hamilton-Ouest	Brian Charlton
44. Hastings- Peterborough	Richard Allen
45. High Park-Swansea	Elmer Buchanan
46. Huron	Paul Klopp
48. Kingston and the Islands/Kingston et les îles	Gary Wilson
49. Kitchener	William A. Ferguson
50. Kitchener-Wilmot	Mike Coope
52. Lambton	Ellen MacKinnon
53. Lanark-Renfrew	Leo Jordan
54. Lawrence	Joseph Cordiano
55. Leeds-Grenville	Bob Runciman
56. Lincoln	Ron Hansen
57. London Centre/ London-Centre	Marion Boyd
58. London North/ London-Nord	Dianne Cunningham
59. London South/ London-Sud	David Winninger
60. Markham	Don Cousins
61. Middlesex	Irene Mathyssen
62. Mississauga East/ Mississauga-Est	John Sola
63. Mississauga North/ Mississauga-Nord	Steve Offer
64. Mississauga South/ Mississauga-Sud	Margaret Marland
65. Mississauga West/ Mississauga-Ouest	Steve Mahoney
66. Muskoka- Georgian Bay/ Muskoka- Baie Georgienne	Dan Waters
67. Nepean	Hans Daigeler
68. Niagara Falls	Margaret Harrington
69. Niagara South/ Niagara-Sud	Shirley Coppen
70. Nickel Belt	Floyd Laughren
71. Nipissing	Mike Harris
72. Norfolk	Norm Jamison
73. Northumberland	Joan Fawcett
74. Oakville South/ Oakville-Sud	Gary Carr
75. Oakwood	Tony Rizzo
76. Oriole	Elinor Caplan
77. Oshawa	Allan Pilkey
78. Ottawa Centre/ Ottawa-Centre	Evelyn Gigantes
79. Ottawa East/ Ottawa-Est	Bernard Grandmairé
80. Ottawa-Rideau	Yvonne O'Neill
81. Ottawa South/ Ottawa-Sud	Dalton McGuinty
82. Ottawa West/ Ottawa-Ouest	Bob Chiarelli
83. Oxford	Kimble Sutherland
84. Parkdale	Tony Rupech
85. Parry Sound	Ernie Eves
86. Perth	Karen Haslan
88. Port Arthur	Shelley Wark-Martyn
89. Prescott and Russell/Prescott et Russell	Jean Poirier
90. Prince Edward- Lennox- South Hastings/ Prince Edward- Lennox- Hastings-Sud	Paul Johnson

6274 THE ONTARIO GAZETTE / LA GAZETTE DE L'ONTARIO

91. Quinte	Hugh P. O'Neil
92. Rainy River	Howard Hampton
93. Renfrew North/ Renfrew-Nord	Sean Conway
94. Riverdale	Marilyn Churley
95. St. Andrew- St. Patrick	Zanana L. Akande
96. St. Catharines	Jim Bradley
97. St. Catharines- Brock	Christel Haeck
99. Sarnia	Bob Huget
100. Sault Ste. Marie/ Sault-Sainte-Marie	Tony Martin
101. Scarborough- Agincourt	Gerry Phillips
102. Scarborough Centre/ Scarborough- Centre	Steve Owens
103. Scarborough East/ Scarborough-Est	Robert T.S. Frankford
104. Scarborough- Ellesmere	David Warner
105. Scarborough North/ Scarborough-Nord	Alvin Curling
106. Scarborough West/ Scarborough-West	Anne Swarbrick
107. Simcoe Central/ Simcoe-Centre	Paul Wessenger
108. Simcoe East/ Simcoe-Est	AI McLean
109. Simcoe West/ Simcoe-Ouest	Jim Wilson
110. Stormont, Dundas and Glengarry/ Stormont, Dundas et Glengarry	Noble A. Villeneuve
111. Sudbury	Sharon Murdock
112. Sudbury East/ Sudbury-Est	Shelley Martel
113. Timiskaming	David Ramsay
114. Victoria- Haliburton	Dennis Drainville
115. Waterloo North/ Waterloo-Nord	Elizabeth Witmer
116. Welland-Thorold	Peter Kormos
117. Wellington	Ted Arnott
118. Wentworth East/ Wentworth-Est	Mark Morrow
119. Willowdale	Charles A. Harnick
120. Wilson Heights	Monte Kwinter
121. Windsor-Riverside	Dave Cooke
122. Windsor-Sandwich	George Dadamo
123. Windsor	Wayne Lessard
124. Walkerville	Gregory Sorbara
125. York Centre/ York-Centre	Gary Malkowski
126. York East/ York-Est	David Turnbull
127. York Mills	Bob Rae
128. York South/ York-Sud	George Mammoliti
129. Yorkview	3890
130. Yorkview	Paul Johnson

²⁸Alistair Fraser, W.F. Dawson and John A. Holtby, eds., Beauchesne's Rules and Forms of the House of Commons of Canada, 6th ed. (Toronto: Carswell, 1989), p. 68. The Constitution Act, 1867 (U.K.), 30 & 31 Vic., c. 3 (formerly the British North America Act, 1867) prescribes the Oath of Allegiance for Members of the Legislative Assembly in s. 128.





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